



General Assembly

February Session, 2000

***Raised Bill No. 5904***

LCO No. 2618

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***An Act Concerning Electronic Monitoring Of Drunken Drivers  
And Other Probationers With A History Of Alcohol Abuse.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 (NEW) (a) Not later than January 1, 2001, the Chief Court  
2 Administrator shall establish a pilot zero-tolerance alcohol supervision  
3 program to monitor the consumption of alcohol by persons placed on  
4 probation who have been convicted of a violation of section 14-227a,  
5 53a-56b or 53a-60d of the general statutes or who have a history of  
6 alcohol abuse.

7 (b) Eligibility for participation in the program shall be limited to  
8 individuals who have been convicted of an offense, have been  
9 identified as having a history of alcohol abuse and have been  
10 sentenced to a period of probation and ordered by the court, as a  
11 condition of such probation, to participate in the program and shall be  
12 based upon criteria, including a limit on the maximum number of  
13 eligible participants, established by the Chief Court Administrator.

14 (c) Any person entering such program shall, as a condition of  
15 participating in such program, agree to: (1) Submit to periodic breath

16 tests to determine the presence of alcohol in the blood of such person,  
17 (2) detention in a halfway house facility for a period of two days each  
18 time such test produces a positive result, (3) comply with all rules  
19 established by the halfway house if detained in such facility, and (4)  
20 waive the right to a hearing.

21 (d) Participants in the zero-tolerance alcohol supervision program  
22 shall submit to periodic breath tests to determine the presence of  
23 alcohol in the blood of such person. The Office of Adult Probation shall  
24 cause to be installed in the dwelling of each participant a device that  
25 measures the amount of alcohol in such participant's blood as shown  
26 by a chemical analysis of the participant's breath when such  
27 participant blows into the device and that electronically transmits the  
28 results of such analysis to such participant's probation officer. If the  
29 test produces a positive result, the participant shall be detained in a  
30 halfway house facility for a period of two days.

31 (e) Any person who has submitted to a breath test pursuant to  
32 subsection (d) of this section that produced a positive result may  
33 request that a breath test be administered, at such person's expense, to  
34 confirm the results of the first test, except that if the participant is  
35 determined to be indigent, based upon financial affidavits, the Judicial  
36 Department shall pay the cost of the test. The second test shall be a  
37 breath test, separate and independent of the initial test. The participant  
38 shall be detained in a halfway house pending the results of the second  
39 test. If such second test does not produce a positive result, the  
40 participant, if detained in a halfway house, shall be released and the  
41 fee, if paid by the participant, shall be refunded to the participant.

42 (f) A participant enrolled in the zero-tolerance alcohol supervision  
43 program may be charged with a violation of probation if the  
44 participant's probation officer determines that the participant has  
45 violated the conditions of probation or the conditions of the program.

46 (g) Not later than January 1, 2002, the Chief Court Administrator  
47 shall submit a report on the pilot zero-tolerance alcohol supervision

48 program to the joint standing committee of the General Assembly  
49 having cognizance of matters relating to criminal justice.

***Statement of Purpose:***

To establish a zero-tolerance program for drunken drivers and other persons with a history of alcohol abuse who are placed on probation.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*